

More Homes More Opportunity



Hon Jacinta Allan MP
Premier of Victoria

Tuesday, 25 February 2025

‘AUTOMATIC’ APPROVALS TO DELIVER TOWNHOUSE REVOLUTION

More homes mean more opportunity – that’s why the Allan Labor Government is introducing a ‘townhouse code’ that will rapidly approve new home buildings up to three storeys tall, so long as they are appropriate for the community that surrounds them and the residents that will live in them.

Premier Jacinta Allan joined Minister for Planning Sonya Kilkenny in Brunswick today to release the new code, which is all about turbocharging the approval of more duplexes, townhouses and low-rise apartments for workers and young people – especially in established suburbs close to transport, jobs and services.

If a project ticks all the boxes in the townhouse code, it gets a green light and speeds past a complex planning system – with no costly delays, no VCAT limbo, and no unnecessary bureaucracy – delivering more homes, faster.

The status quo system is plagued with delay and uncertainty

Too many people trying to build a home in Victoria face a system that seems designed to say no. The ‘snakes and ladders’ game of obtaining a planning permit is one of the reasons why Victoria still doesn’t have enough homes – with those who do manage to finish the game often spending too much money absorbing its delays.

The average assessment time for a planning permit is 145 days – well over the statutory deadline. There can be constant requests for ‘more information’ throughout the process, plus notice periods. Then there’s appeals: the average time frame at VCAT from lodgement to hearing is 175 days.

This may be appropriate for a large development. But it’s stifling the kind of new, low-rise, good-quality home building that will fit in with all communities and won’t detract from local character.

The townhouse code, for a system that says yes

The townhouse code sets basic but important standards for good development, like enough setback and tree coverage so a building suits the neighbourhood, and well-sized bedrooms and decent sunlight so it’s a nice place to live. The standards include, but are not limited to:

- Neighbourhood character rules like six metre setbacks at the front, and setbacks at the side and rear
- Tree canopy and open space requirements, including protecting trees that are a certain size
- A mix of 1-, 2- and 3-bedroom apartments in projects of a certain size, to support families
- Protection for neighbours from overlooking and overshadowing
- Enough sunlight, storage, room size, ventilation and private open space for residents
- Buildings that are sustainable and energy efficient

A planning permit application will have to include all the evidence it meets the code – which is formally called the *Townhouse and Low-Rise Code*. When an application is submitted, councils will assess if it meets the code.

If the code is met, the application is ‘deemed to comply’. No more assessment is required. It is fast-tracked. Affected neighbours will be notified and can have their say – but there are no third-party appeals at VCAT.

If the code is not met – for example, because of an issue that affects neighbours – then a normal planning process will then apply. The project may still get the green light at the end of that process, but it won't be on the 'deemed to comply' fast-track and third-party appeal rights will be maintained.

If there are additional permit triggers locally such as heritage or flood overlays – or if there's a two-storey height limit in a zone – an application will have to comply with these rules as well as meeting the code. But the application won't have to comply with rules that are already standardised by the code, such as setbacks, design and tree cover.

The code will support significant housing supply across Melbourne and regional Victoria. There are some 1.45 million lots in the key residential zones in Melbourne alone.

The code was developed in conjunction with 148 stakeholders and 61 submissions from Victorian councils. It builds on the 14 *ResCode* standards introduced in 2023. The Government is also developing a code for buildings between four and six storeys – and hasn't ruled anything in or out for how that code will work.

Until then, the Government is also updating the standards for four-storey apartments to align with those in the new 1- to 3- storey code – however, 'deemed to comply' provisions will not apply through this technical update.

The *Townhouse and Low-Rise Code* will come into effect via an amendment to all planning schemes, subject to gazettal. You'll be able to lodge an application through this code in April. To view the code, visit www.planning.vic.gov.au/news/articles/new-townhouse-and-low-rise-code

A Planning Act from the 80s needs to enter the 2020s

The 606-page *Planning and Environment Act 1987* has been criticised as complex, inconsistent and old-fashioned. It is the definition of the status quo. The Government will rewrite it so good homes aren't blocked by bad process.

The Government pledged to review the Act as part of its landmark *Housing Statement*. Now the rewrite can begin around clear goals that will get young people and workers into homes, faster – and we will consult with all 79 councils on it. As part of the rewrite, the Government confirms it will look at:

- The time and costs associated with structure plans and rezoning, with possible legislative change to replace the current one-size-fits-all planning scheme amendment process
- Focusing on further reducing planning permit delays and blockages, including different assessment and approval processes for projects that have a lesser impact

Quote attributable to Premier Jacinta Allan

"Homes don't get built when they're lost in the snakes and ladders of the planning system – so we're fixing it."

"The status quo isn't cutting it, and people trying to build homes for young people keep hearing the word 'no'. The townhouse code is about a system that says yes."

Quote attributable to Minister for Planning Sonya Kilkenny

"This can reduce planning permit assessment times by at least 60 per cent, in addition to the time saved at VCAT."

"We believe in good, comfortable, well-designed homes – that's why we're codifying them."

Quote attributable to Member for Northern Metropolitan Region Sheena Watt

"This is about more homes, townhouses and low-rise apartments for young people and families – faster."